IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 13TH FEBRUARY 2007 / 24TH MAGHA 1928

WP(C).No. 4864 of 2007(D)

PETITIONER:

K.S.GOVINDA PILLA,
S/O.SREEDHARAN NAIR, AGED 57,
RESIDING AT `SUSYLAM', NADAMA,
KANAYANNUR, ERNAKULAM.

BY ADV. SRI.M.NARENDRA KUMAR
SRI.S.MOHANAN

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
MINISTRY OF REVENUE, SECRETARIAT,
TRIVANDRUM.

2. VELLAVOOR GRAMA PANCHAYAT,
REPRESENTED BY SECRETARY.

3. TAHSILDAR,
OFFICE OF THE TALUK OFFICE,
CHANGANACHERRY.

R1 & R3 BY ADV. SMT. T.B. REMANI, GOVT. PLEADER.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/02/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) No. 4864 OF 2007

Dated this the 13th day of February, 2007

JUDGMENT

This Writ Petition has been filed by a resident of the 2nd respondent-Panchayat impugning Ext.P3 show cause notice which was issued to him by the 3rd respondent-Tahsildar under the provisions of the Land Conservancy Act and Rules.

Heard learned counsel for the petitioner and Smt.T.B. Remani who has taken notice on behalf of respondents 1 and 3. Learned counsel for the petitioner would refer to Ext.P1 and submit that the Thodu puramboke will vest in the Panchayat under the provisions of the Panchayat Raj Act. The issue is whether the Thodu in question is a puramboke vested with the Panchayat is under consideration by the Panchayat. It is at that stage, the 3rd respondent has issued Ext.P3.

May be the contention of the petitioner that even if the property in question is puramboke Thodu same has vested in the Panchayat has some force. But Ext.P3 after all, is only a show cause notice. I direct the petitioner to appear before the 3rd respondent in response to Ext.P3 and file objections raising all his contentions. The 3rd respondent will consider those objections if the petitioner files the same within one week

of receiving a copy of this judgment, hear the petitioner and then only pass further orders pursuant to Ext.P3.

PIUS C. KURIAKOSE, JUDGE

btt